

REMARKS

By the above actions, claim 4 has been amended and non-elected claims 9-12 canceled subject to applicants' right to file a divisional application relative thereto. In view of the actions taken and the following remarks, further consideration of this application is now requested.

Before addressing the rejections in the Examiner's Office Action, it is noted that the Examiner's consideration of applicants' arguments and withdrawal of the previous rejections based thereon is appreciated. It is believed that, if the same open-minded consideration is given to the points noted herein, the Examiner will conclude that current prior art rejection should also be withdrawn.

Claim 4 was rejected under 35 USC § 112 for indefiniteness as being inconsistent with claim 1 from which it was dependent. In response, claim 4 has been amended into an independent claim and the inconsistent language of claim 1 has been eliminated from the form of claim 1 that has been incorporated into amended claim 4. Thus, claim 4 should no longer be found to be indefinite and the rejection thereof under § 112 should be withdrawn, such action being hereby requested.

Claims 1-8, 13 & 14 have been rejected under 35 USC § 103 as being unpatentable over the Smith U.S. Patent 3,873,654 when viewed in combination with the Carter et al. patent. However, this rejection is inappropriate for the following reasons.

First, it is pointed out that the modification to Carter et al. that has been proposed by the Examiner, i.e., substitution of a honeycomb core for the solid foam core 10, would essentially convert the Smith structure into that of the Carter et al. patent, it is not seen why the bonding technique taught by Smith for adhesion of resin-impregnated fiber glass layers to a solid foam core would be used instead of that taught Carter et al. for use in bonding resin-impregnated fiber glass layers with his honeycomb core. In this regard, Smith discloses a skin member 26 "fabricated of a plurality of layers of resin-impregnated fiber glass bonded together and to the spar and cores" without the use of an adhesive beyond the resin with which the fiber glass is impregnated. Thus, given that Carter et al. do not teach the use of excess adhesive, i.e., more than is necessary for adhesion purposes, to such an extent that enough is available to diffuse liquid adhesive into the open ends of the hollow chambers so as

to partially fill them as shown in the present applicants' Fig. 3, it is not seen how it would have been obvious to do so when applying the teaching of the Carter et al. patent to production of Smith's product.

However, even assuming that Smith production technique would still be used (instead of that of Carter et al.) despite replacement of Smith's solid foam core with the honeycomb one of the Carter et al. patent, that still would not lead one of ordinary skill to the present invention as disclosed and claimed in this application. That is, Smith teaches "coating of the partially cured fiberglass cloth with an epoxy-type resin" (column 2, lines 20-23) and more specifically the glass cloth being "impregnated with an epoxy resin until it is fully saturated." (column 4, lines 23-25). The impregnated fiberglass cloth layers are partially cured and then wetted with additional epoxy resin. "The partially cured glass cloth wetted with epoxy resin adheres to the surface 11 of wing core 10" (column 4, lines 33-41). Since partially cured glass cloth wetted with epoxy resin is designed to be adhered to a solid surface, and is merely "wetted with epoxy resin" there is no reason to assume that there would be sufficient epoxy resin available to pass into openings of a honeycomb core.


The fact that providing an excess of resin sufficient to pass into the openings of a honeycomb is neither taught nor obvious from the teachings of these two references is emphasized by the fact that Carter et al., the parties that use a honeycomb, did not find it necessary to do more than impregnate their fiberglass with epoxy resin to bond it to the honeycomb, i.e., additionally wetting was evidently considered unnecessary. As such, without impermissible reliance upon applicants' own disclosure, one of ordinary skill would have no basis to "to diffuse the adhesive into the open ends of the hollow chambers of the spacer part" during molding and prior to setting it.

Thus, for the above set forth reasons, it is submitted that one of ordinary skill could never arrive at the claimed invention from the disclosures of these two patents since only the present applicants teach the use of sufficient liquid adhesive to not merely bond the outer layers to the facing surfaces of the spacer (core) part, but also to diffuse into the open ends of the hollow spaces thereof. Therefore, reconsideration and withdrawal of the outstanding rejections are in order and are requested.

The references that have been cited but not applied by the Examiner have been taken into consideration. However, since these references were not found to be relevant enough by the Examiner to apply against the claims, no detailed comments thereon are believed to be warranted at this time.

While this application should now be in condition for allowance, in the event that any issues should remain after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for that purpose. In this regard, if the only obstacle to passage of this application for issuance as a patent is the presence of the withdrawn claims, then those claims may be cancelled by Examiner's Amendment subject to applicant's right to file a divisional application with respect thereto.

Respectfully submitted,

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